IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.8605 OF 2005.

Shri Rajendra M. Chendekar : Petitioner.

versus

The Union of India and Anr. : Respondents.

Shri S.S.Karkera, Advocate, for the Petitioner.

Shri R.R.Shetty with Shri D.A.Dube, i/by Shri S.S.Sarker, Advocates, for Respondent No.3.

CORAM : R.M.S.KHANDEPARKAR &
NARESH H. PATIL, JJ.

DATED : 19th AUGUST 2006.

ORAL ORDER

1. Heard. Undisputely, after filing this petition, while considering the representation made by the petitioner, the authorities have passed an order dated 12th December 2005. By the said order, period between suspension and reinstatement, i.e. from 6th June 1999 to 15th September 2003, has been regularised as on duty. The contention of the petitioner, however, is that he has been regularised in lower post. Undisputedly, the petitioner has alternative

efficacious remedy against the order dated 12th December 2005 and, in any case, the said order has been passed after filing the present petition. Being so, the present petition is rendered infructuous. Question of allowing the petitioner to amend the petition, at this stage, and, allowing him to challenge the order of 12th December 2005 does not arise as there is alternative efficacious remedy to the petitioner against the said order and by leaving it open to the petitioner to pursue the said remedy, the petition is rejected.

[R.M.S.KHANDEPARKAR, J]

[NARESH H. PATIL, J]